



MISSISSIPPI STATE DEPARTMENT OF HEALTH

February 16, 2001

Frederick C. Combs, Deputy Director
Office of State and Tribal Programs
Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Combs:

Enclosed is a CD of the proposed amendments (highlighted) to Sections A, C, D, E, Q, and T of the Regulations for the Control of Radiation in Mississippi. These revisions should meet the compatibility category designations of the NRC Regulations. Revisions to Section G, addressing the medical use of radionuclides have not been included in these regulations due to the delay in the final rule of 10 CFR Part 35. Also, the latest revision to 10 CFR Part 39 was not included in these revisions.

Also, enclosed are copies of the Tables for the Chronology of NRC Amendments from Agreement States Letters, SP-99-056 and SP-00-006, which list the final regulations adopted by NRC since May 16, 1996, through December 31, 1999. These tables have been marked identifying the revisions that have been included in the enclosed draft regulations.

These amendments to the regulations will be presented to the Mississippi State Board of Health for their consideration on April 15, 2001. It is requested that NRC complete its review by April 1, 2001. A copy of the revisions have been provided to Dick Woodruff, Regional State Agreements Officer.

Should you have any questions, please contact me at (601) 987-6893.

Sincerely,

Robert W. Goff, Director
Mississippi State Dept. of Health
Division of Radiological Health

RWG:tsm

Enclosure

01 FEB 27 PM 3:12
OSP

F. E. Thompson, Jr., MD, MPH, State Health Officer

3150 Lawson Street • Post Office Box 1700 • Jackson, Mississippi 39215-1700
601/987-6893 • Fax 601/987-6887

Equal Opportunity In Employment/Service

*OSP-006 - Template
R105 last. SP06*

CHRONOLOGY OF NRC AMENDMENTS (FINAL REGULATIONS ADOPTED SINCE May 16, 1996 through June 30, 1999)¹

(Compatibility and Health and Safety category designations pursuant to the Policy Statement on Adequacy and Compatibility approved June 30, 1997)

REGULATION SECTION	SECTION TITLE	SUGGESTED STATE REGULATIONS ²	COMPATIBILITY/ H & S CATEGORY	SUMMARY OF CHANGE
--------------------	---------------	--	-------------------------------	-------------------

**Radiological Criteria for License Termination of Uranium Recovery Facilities (64 FR 17506, April 12, 1999)
Effective June 11, 1999**

Appendix A, 10 CFR Part 40	Criterion 6(6)	Part U (not yet included)	C <i>N/A</i>	A second paragraph is added to Criterion 6(6) to include radiological dose criteria for decommissioning of lands and structures at uranium recovery facilities conforming to EPA's standards for radium in soil and also providing ground-water protection criteria.
----------------------------	----------------	---------------------------	-----------------	--

**Transfer for Disposal and Manifests; Minor Technical Conforming Amendment (63 FR 50127, September 21, 1998)
Effective November 20, 1998**

20.1002	Scope	Part D (not yet included)	D - <i>Not included</i>	An omission is corrected by adding the reference to Part 36, "Licenses and Radiation Safety Requirement for Irradiators."
20.2006	Transfer for disposal and manifests	Part D (not yet included)	B - <i>OK</i>	This section is simplified by removing the obsolete manifest requirement in Appendix F to avoid confusion. The manifest requirement in Appendix G is retained.

¹See All Agreement States Letter (SP-96-078), July 12, 1996, for Chronology of NRC Amendments before May 16, 1996.

²Prepared by the Conference of Radiation Control Program Directors, Inc.

Minor Corrections, Clarifying Changes, and a Minor Policy Change (63 FR 39477, July 23, 1998 and 63 FR 45393, August 26, 1998)

Effective October 26, 1998

20.1003	Definitions Declared pregnant women High radiation area Very high radiation area Individual monitoring devices Lens dose equivalent (LDE)	Part D (not yet included)	Section A-D Page D-2 Section A - Page A-6 A Page A-13 C Page A-4 A A-7	Minor corrections and clarifying changes are made in the definitions of Part 20, "Standards for Protection Against Radiation." A written declaration of pregnancy is to be given to the licensee rather than the employer, unless the employer is also the licensee. High and Very high radiation areas are revised to make it clear that these designations exist solely to note radiation levels from sources external to an individual. Individual monitoring devices is revised to correct the misuse of the term thermoluminescent to describe thermoluminescence dosimeters. "Lens dose equivalent (LDE)" replaces "Eye dose equivalent" to avoid confusion.
20.1201 20.1208	Occupational dose limits for adults Dose to an embryo/fetus	Part D (not yet included)	A - Page D-7 A - Page D-13	In paragraphs (a)(2)(i) and (c) clarifying changes are made to "lens dose equivalent." In paragraphs (a),(c), (c)(2) and (d), "Dose to an embryo/fetus" is changed to "dose equivalent to the embryo/fetus" to make it clear that it applies to the dose equivalent.
32.54	Same: Labeling of devices	Part C (not yet included)	B - Done	The reference in paragraph (a) is revised from Section 20.203(a) to 20.1901.
20.2101	General provisions	Part D (not yet included)	C - Page D-35 & 36	Permits licensees to add SI units to special units and replaces "eye dose equivalent" with "lens dose equivalent."
20.2106	Records of individual monitoring results	Part D (not yet included)	C Page D-38	In paragraphs (a)(2) and (a)(3) the reference to "body burden" are removed because this term is obsolete. Paragraph (a)(4) is revised by adding a reference to 20.1304(a) that requires licensees to take certain measurements that are specified.
20.2202	Notification of incidents	Part D (not yet included)	C Page D-41	A revision to paragraph (d) results in the application of the same incident reporting requirements to all licensees.

39.33	Radiation detection instruments	Part W (not yet included)	C - NO	Paragraph (a) is made to conform by replacing the term milliroentgens with the term millisieverts (mSV) and millirem (mrem) to be consistent with revised Part 20.
39.71	[Amended]	Part W (not yet included)	C - NO	The reference in paragraph (b) is corrected to read Section 20.1003 instead of Section 20.3.
20.1101	Radiation protection programs	Part D (not yet included)	D, H&S PAGE D-6	In paragraph (b) "practicable" is changed to "practical" to remove the basis for an incorrect perception among some licensees.
20.1206	Planned special exposures	Part D (not yet included)	D PAGE D-12	Paragraph (a) is revised to clarify what was intended by the term, "higher exposure" used in the rule previously.
20.1501	General	Part D (not yet included)	D, H&S PAGE D-18	Paragraphs (a)(2)(i) and (iii) are revised for clarification.
20.1502	Conditions requiring individual monitoring of external and internal occupations dose	Part D (not yet included)	D, H&S PAGE D-18 D-184 D-19	In paragraphs (a)(2) and (b)(2), monitoring requirements for minors and pregnant women are revised. In addition, for minors the dose limits in (a)(2) apply for an entire year, while for a declared pregnant woman the dose limit in (b)(2) applies only to the 9-month gestation period.
20.1903	Exceptions to posting requirements	Part D (not yet included)	D NO	A new paragraph is added to exempt teletherapy rooms in a hospital from posting requirements under certain conditions.
20.1906	Procedures for receiving and opening packages	Part D (not yet included)	D, H&S PAGE D-32	Paragraph (d) is revised to require licensees to notify the NRC Operations Center instead of an NRC Regional Office.
35.641	Radiation surveys for teletherapy facilities	Part G (not yet included)	D - NO	Paragraphs 35.641 (a)(2)(i) and (a)(2)(ii) and 35.643(a) are revised to be consistent with the dose limits for occupationally exposed individual and public. In paragraph 35.643(a)(1) a misreference is corrected.
35.643	Modification of teletherapy unit...			
36.23	Access control	Part Q (not yet included)	D, H&S Q-6	Paragraph (g) is revised to conform with posting requirements for high or very high radiation areas.

**Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations;
Clarifying Amendments and Corrections (63 FR 37059, July 9, 1998)
Effective July 9, 1998**

Used Section E of SSAPCR which should have incorporated these requirements.

34.27	Leak testing and replacement of sealed sources	Part C (not yet included) and Part E (included)	C	The third sentence of paragraph (e) is amended by using text similar to that in the first sentence of paragraph (d) regarding the correct way to detect wear in the guide tube. Also, the implementation date for DU testing is one year from the effective date of the rule June 27, 1997, not the publication date, May 28, 1997.
34.41	Conducting industrial radiography operations	Parts C and E (not yet included)	B D-paragraph (c)	A new paragraph (d) is added to specify the effective date of June 27, 1998 for having two qualified individuals present at locations other than a permanent radiographic installation.
34.42	Radiation safety officer for industrial radiography	Part C (not yet included) and Part E (included)	D, H&S for the first sentence only of this section.	In paragraph (d), the effective date of the requirement is corrected to June 27, 1999.
34.43	Training	Parts C and E (not yet included)	B D-Paragraphs (a)(2) and (c)	In paragraph (a)(2), the effective date of the requirement is corrected to June 27, 1999. In paragraph (h), the effective date of the requirement is corrected to June 27, 1998. A new paragraph (i) is added with a compliance date of June 27, 1999, and a clarification of the records of radiographer certification maintenance for appropriate affirmation or certification.

**License Term for Medical Use Licenses (63 FR 31604; June 10, 1998)
Effective July 10, 1998**

35.18	License issuance		D - NO	The introductory text of 35.18 is revised to eliminate the 5-year term limit for medical use licenses so that the term for medical use licenses will be set by policy.
-------	------------------	--	--------	--

**Self-Guarantee of Decommissioning Funding by Nonprofit and Non-Bond-Issuing Licensees (63 FR 29535; June 1, 1998)
Effective July 1, 1998**

30.35(f)(2) Appendix D Appendix E 40.36(e)(2) 70.25(f)(2)	Financial assurance and recordkeeping for decommissioning	Part C (not yet included)	D — NO D D D D	Section 30.35 is amended to permit self-guarantee for financial assurance which can be used by qualified nonprofit licensees and non-bond-issuing licensees. Appendix D is added to 10 CFR Part 30 to establish requirements for self-guarantee by non-bond-issuing commercial licensees. Appendix E is added to 10 CFR Part 30 to establish requirements for self-guarantee for nonprofit college, university, and hospital licensees. 40.36(e)(2) and 70.25(f)(2) are similar.
---	---	---------------------------	----------------------------	--

**Deliberate Misconduct by Unlicensed Persons (63 FR1890; January 13, 1998; 63 FR 13773: March 23, 1998)
Effective February 12, 1998**

30.10 40.10 61.9b 70.10 150.2	Deliberate Misconduct by Unlicensed Persons	Part C (not yet included) Section A	C Page C A-19 C C C	Amended to extend the Deliberate Misconduct Rule to additional categories of persons (only those applicable to Agreement States are listed): applicants for NRC licenses; certificates of registration issued under Parts 30 and 32; and the employees, contractors, subcontractors and consultants of the above categories.
---	---	--	---------------------------------	--

**Exempt Distribution of a Radioactive Drug Containing One Microcurie of Carbon-14 Urea (62 FR 63634; December 2, 1997)
Effective January 2, 1998**

30.21	Radioactive drug: Capsules containing carbon-14 urea for "in vivo" diagnostic use for humans	Part C (not yet included) Section C	B Page A-19 Page C-9	A new section to permit any person to receive, possess, use, transfer, own, or acquire for "in vivo" diagnostic use, capsules containing one microcurie of C-14 urea without a license; a reminder that persons receiving the capsules would not be relieved from other laws governing drugs; does not extend to use of the capsules for research involving human subjects; and any person desiring to use the capsules for human research is required to obtain a specific license.
-------	--	--	----------------------------------	--

**Radiological Criteria for License Termination (62 FR 39057; July 21, 1997)
Effective August 20, 1997**

20.1003	Definitions Background radiation Critical group Decommission Distinguishable from background Residual radioactivity	Part A (not yet included)	A Pages B A-2 thru [C] A-10 B B	The definition of Background radiation is revised and new definitions Critical Group, Decommission, Distinguishable from background, and Residual radioactivity are added.
20.1009	Information collection requirements: OMB approval	Part D (not yet included)	D - NO	Paragraph (b) is revised to include the new subparts.
Subpart E	Radiological Criteria for Decommissioning	Part D (not yet included)	Yes PD-44	A new Subpart E entitled "Radiological Criteria for License Termination," is added.
20.1401	General provisions and scope	Part D (not yet included)	C	Outlines that the criteria in Subpart E apply only to decommissioning of facilities licensed under 10 CFR Parts 30, 40, 50, 60, 61, 70 and 72 and other facilities subject to NRC's jurisdiction. Sites to which Subpart E do not apply are listed.
20.1402	Radiological criteria for unrestricted use	Part D (not yet included)	C	Describes the criteria under which a site will be considered acceptable for unrestricted use so the license can be terminated. The principal criterion is that the residual radioactivity that is distinguishable from background radiation results in a TEDE to an average member of the critical group does not exceed 25 mrem (0.25 mSV) per year.
20.1403	Criteria for license termination under restricted conditions	Part D (not yet included)	C	Describes the criteria under which a site will be considered acceptable for restricted use so the license can be terminated. The criteria include ALARA considerations, legally enforceable institutional controls, sufficient financial assurance, and submission of a decommissioning plan.

20.1404	Alternate criteria for license termination	Part D (not yet included)	C	Gives alternate criteria for a licensee, greater than those cited above, for the Commission to terminate a license. The use of these criteria requires the approval of the Commission after consideration by NRC staff, Environmental Protection Agency, and the public.
20.1405	Public notification and public participation	Part D (not yet included)	C thru	Describes Commission actions pursuant to the receipt of a decommissioning plan, such as notification and solicitation of comments from local and State government, Environmental Protection Agency, the publication of notices, and soliciting comments from affected parties.
20.1406	Minimization of contamination	Part D (not yet included)	C Page D-48	Requires applicants to describe, through design and operation, to minimize contamination of the facility and the environment and the generation of radioactive waste.
20.2402(b)	Criminal penalties	Part D (not yet included)	D NO	Revised to include Section 20.1405, as an exception.
30.4	Definitions Decommission	Part A (not yet included)	Page C A-4	Revised the definition of decommission to include release of property under restricted conditions.
30.35(f)(5) 30.35(g)(3)(iv)	Financial assurance and recordkeeping for decommissioning	Part C (not yet included)	D - NO	Paragraph (f)(5) is added to cover arrangements for governmental entities. Paragraph (g)(3)(iv) is revised to cover requirements for the licensee for either decontamination or disposal for areas outside of the restricted areas.
30.36(j)(2) 30.36(k)(3)(i) & (ii)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	Part C (not yet included)	D, H&S Page C-53 & C-54	The introductory text of paragraph (j)(2) and paragraph (k)(3) are revised to cover the requirements for radiation surveys and the demonstration of compliance with the criteria for decommissioning in 10 CFR Part 20, Subpart E.
40.4	Definitions Decommission	Part A (not yet included) Part C (not yet included)	[C] Section A Page A-4	Revised the definition of decommission to include release of property under restricted conditions. This definition also appears in 10 CFR 30.4. For purposes of compatibility, the language of the Part 30 definition should be used where it is assigned to Compatibility Category C.

40.36(e)(5) 40.36(f)(3)(iv)	Financial assurance and recordkeeping for decommissioning	Part C (not yet included)	D N/A	Paragraph (e)(5) is added to cover arrangements for governmental entities. Paragraph (f)(3)(iv) is revised to cover requirements for the licensee for either decontamination or disposal for areas outside of the restricted areas.
40.42(j)(2) 40.42(k)(3)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	Part C (not yet included)	D, H&S N/A	The introductory text of paragraph (j)(2) and paragraph (k)(3) are revised to cover the requirements for radiation surveys and the demonstration of compliance with the criteria for decommissioning in 10 CFR Part 20, Subpart E.
70.4	Definitions Decommission	Part A (not yet included)	[C] N/A	Revised the definition of decommission to include release of property under restricted conditions. This definition also appears in 10 CFR 30.4. For purposes of compatibility, the language of the Part 30 definition should be used where it is assigned to Compatibility Category C.
70.25(f)(5) 70.25(g)(3)(iv)	Financial assurance and record keeping for decommissioning	Part C (not yet included)	D N/A	Paragraph (f)(5) is added to cover arrangements for governmental entities. Paragraph (g)(3)(iv) is revised to cover requirements for the licensee for either decontamination or disposal for areas outside of the restricted areas.
70.38(j)(2) 70.38(k)(3)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	Part C (not yet included)	D, H&S N/A	The introductory text of paragraph (j)(2) and paragraph (k)(3) are revised to cover the requirements for radiation surveys and the demonstration of compliance with the criteria for decommissioning in 10 CFR Part 20, Subpart E.

Licenses for Industrial Radiography and Radiation Safety - Requirements for Industrial Radiography Operations
(62 FR 28948; May 28, 1997)
Effective June 27, 1997

Used most recent SSRCR's Part E which should have

30.4	Definitions Radiographer Radiographer's assistant Radiography	Part C (not yet included) and Part E (included)	Not applicable	<i>INCORPORATED ALL of these requirements</i> These definitions were removed.
34.1	Purpose and Scope	Part C (not yet included) and Part E (included)	D	Minor clarifying changes were made. Other NRC regulations, such as Parts 19, 20, 21, 30, 71, 150, 170 and 171, that apply to radiography licensees are now referenced by number, and "radiography" is changed to "industrial radiography" to distinguish it from medical uses.
34.3	Definitions	Part C (not yet included) and Part E (included)	B	Five new definitions were added: Control cable, Control drive mechanism, Lay-barge radiography, Offshore platform radiography, and Underwater radiography. Some of the definitions were changed in response to public comments.
34.5	Interpretations	Part C (not yet included) and Part E (included)	D	Added because this is standard regulatory language used to state that only the General Counsel of the NRC has the authority to provide interpretations of the regulations which will be binding on the Commission.
34.8	Information collection requirements: OMB approval	Not applicable	D	Lists the requirements for OMB approval.
Subpart B	Specific Licensing Provisions			
34.11	Application for a specific license	Part C (not yet included) and Part E (included)	D	Tells how to file an application for a specific license for use of sealed sources in industrial radiography.

34.13	Specific license for industrial radiography	Part C (not yet included) and Part E (included)	C	Provides the basic requirements for submittal of a license application which must be met satisfactorily before NRC will approve the application.
Subpart C	Equipment			
34.20	Performance requirements of industrial radiography equipment	Part C (not yet included) and Part E (included)	B	Specifies requirements for industrial radiographic equipment performance and use.
34.21	Limits on external radiation levels from storage containers and source changers	Part C (not yet included) and Part E (included)	B	Specifies the limits on radiation exposure levels for various equipment associated with industrial radiography, such as storage containers and source changers.
34.23	Locking of radiographic exposure devices, storage containers and source changers	Part C (not yet included) and Part E (included)	B	Requires locking of radiographic equipment to protect the public from inadvertent exposure to radiation. Locks or out locks are required for exposure devices, sealed source storage containers and source changers.
34.25	Radiation survey instruments	Part C (not yet included) and Part E (included)	C	Specifies requirements for radiation survey instruments, such as calibration, frequency, accuracy and record keeping.
34.27	Leak testing and replacement of sealed sources	Part C (not yet included) and Part E (included)	C	Stipulates that licensees leak test sealed sources while in use and radiographic exposure devices that employ depleted uranium for shielding.
34.29	Quarterly inventory	Part C (not yet included) and Part E (included)	C	Specifies requirements for conducting a quarterly inventory to account for all sealed sources and for devices containing depleted uranium.

34.31	Inspection and maintenance of radiographic exposure devices.	Part C (not yet included) and Part E (included)	C	Addresses requirements for the various types of inspection and maintenance activities that licensees must perform to ensure that equipment is in good operating condition, sources are properly shielded, required labels are present, and components important to safety are functioning properly.
34.33	Permanent radiographic installations	Part C (not yet included) and Part E (included)	D, H&S	Specifies the safety requirements that must be in place for any permanent radiographic installation that includes entrance control, warning signals, and alarm system.
34.35	Labeling, storage, and transportation	Part C (not yet included) and Part E (included)	B	Specifies requirements for labeling, storage, and transportation of radioactive material used in industrial radiography.
Subpart D	Radiation Safety Requirements	Part C (not yet included) and Part E (included)		
34.41	Conducting industrial radiography operations	Part C (not yet included) and Part E (included)	B D - Paragraph (c)	Specifies certain conditions that must be met before performing radiographic operations in order to ensure that adequate safety measures are in place before conducting radiographic operations. These include as two person crew outside of a permanent radiographic installation and approved procedures for lay-barge, underwater, and off-shore platform radiography.
34.42	Radiation safety officer for industrial radiography	Part C (not yet included) and Part E (included)	D, H&S for the first sentence only of this section.	Identifies the minimum qualifications, training, experience and specific duties of the radiation safety officer (RSO) for industrial radiography. Licensees have until May 28, 1999 to meet the requirements.
34.43	Training	Part C (not yet included) and Part E (included)	B D - Paragraphs (a)(2) and (c)	Addresses training requirements for industrial radiographers and radiographers' assistants, such as two months of on-the-job training and certification.

34.45	Operating and emergency procedures	Part C (not yet included) and Part E (included)	C - Paragraph (a) D - Paragraphs (a)(9) and (b)	Identifies the procedures for all activities, e.g., source recovery, that licensees must develop and submit to the NRC in their application. Procedures include handling of licensed sealed sources and radiographic exposure devices, surveys, controlling access, locking and securing, monitoring, and transportation.
34.46	Supervision of radiographer's assistants	Part C (not yet included) and Part E (included)	B	Specifies requirements for radiographers' assistants to handle equipment associated with radiographic operations.
34.47	Personnel monitoring	Part C (not yet included) and Part E (included)	C	Addresses requirements for monitoring radiation exposures to radiographic personnel.
34.49	Radiation surveys	Part C (not yet included) and Part E (included)	C - Paragraphs (a) through (c) D - Paragraph (d)	Addresses requirements for surveys that must be made during and after radiographic operations to ensure that the radioactive source is safely secured when radiographic operations are not being performed and that public dose limits in 10 CFR Part 20 are met.
34.51	Surveillance	Part C (not yet included) and Part E (included)	C	Specifies requirements for radiographers to maintain surveillance of a high radiation area during industrial radiographic operations to protect against unauthorized entry.
34.53	Posting	Part C (not yet included) and Part E (included)	C	Specifies requirements for identifying areas where radioactive material is being used to comply with radiation protection requirements discussed in 10 CFR Part 20.
Subpart E	Recordkeeping Requirements			
34.61	Records of the specific license for industrial radiography	Part C (not yet included) and Part E (included)	D	Requires licensees to maintain a copy of their licenses until their licenses are terminated by the Commission.

34.63	Records of receipt and transfer of sealed sources	Part C (not yet included) and Part E (included)	C	Requires licensees to maintain records or receipt and disposition of radioactive sources used under their license.
34.65	Records of radiation survey instruments	Part C (not yet included) and Part E (included)	C	Contains the recordkeeping requirements for radiation instruments required under Sec. 34.25.
34.67	Records of leak testing	Part C (not yet included) and Part E (included)	C	Contains recordkeeping requirements and requires licensees to maintain records of leak tests for 3 years after the record is made.
34.69	Records of quarterly inventory	Part C (not yet included) and Part E (included)	C	Contains recordkeeping requirements and requires licensees to maintain records of quarterly inventories for 3 years after the record is made.
34.71	Utilization logs	Part C (not yet included) and Part E (included)	B	Contains recordkeeping requirements, such as a utilization log for each sealed source and keep the log for 3 years.
34.73	Records of inspection and maintenance of radiographic exposure devices . .	Part C (not yet included) and Part E (included)	C	Contains recordkeeping requirements and specifies that inspection and maintenance records must be maintained by the licensee for 3 years.
34.75	Records of alarm system and entrance control checks at permanent	Part C (not yet included) and Part E (included)	D	Requires the maintenance of records of alarm system and entrance control device tests and requires that each record must be maintained for 3 years.
34.79	Records of training and certification	Part C (not yet included) and Part E (included)	C	Includes recordkeeping requirements and specifies that records verifying radiographer certification and annual safety reviews are to be retained for 3 years after the record is made.

34.81	Copies of operating and emergency procedures	Part C (not yet included) and Part E (included)	C	Requires the maintenance of a copy of current operating and emergency procedures until the Commission terminates the license.
34.83	Records of personnel monitoring procedures	Part C (not yet included) and Part E (included)	C	Requires that each licensee to maintain exposure records as specified in Sec. 34.47.
34.85	Records of radiation surveys	Part C (not yet included) and Part E (included)	D	Requires the licensee to maintain records of exposure device surveys conducted before the radiographic exposure device is placed in storage for 3 years from the date the record was made.
34.87	Form of records	Part C (not yet included) and Part E (included)	C	Specifies how records must be maintained, including storage by electronic media.
34.89	Location of documents and records	Part C (not yet included) and Part E (included)	C	Addresses requirements for licensees to maintain certain records at locations where radiographic operations occur, such as at a permanent installation, temporary jobsite, or field station, where radioactive material is stored and from which it is dispatched for use at a temporary jobsite.
Subpart F	Notifications			
34.101	Notifications	Part C (not yet included) and Part E (included)	C	Addresses requirements for licensees to notify the NRC of incidents having safety significance.
Subpart G	Exemptions			
34.111	Exemptions	Part C (not yet included) and Part E (included)	D	Addresses exemptions and is basically the same as Sec. 34.51 in the form 10 CFR Part 34, except for minor word changes for consistency with the other parts of the rule.
Subpart H	Violations			
34.121	Violations	Part A (not yet included)	D	Addresses violations and is basically the same as Sec. 34.61 in the former 10 CFR Part 34.

34.123	Criminal penalties	Part A (not yet included)	D	Addresses criminal penalties and is basically the same as Sec. 34.63 in the prior 10 CFR Part 34.
Appendix A	Radiographer certification	Part C (not yet included) and Part E (included)	B	Part I provides the requirements for an independent certifying organization and only applies to organizations other than the Agreement States. Parts II and II provide the requirements for certification programs and written examinations for a certifying entity, and include the Agreement States.
71.101	Quality assurance requirements	Part C (not yet included) and Part E (included)	D	A new paragraph (g) is added to state that the inspection and maintenance programs for radiographic exposure devices, source changers, or packages transporting these devices that meet the provision of Sec. 34.31(b) or equivalent Agreement State regulations, need not be submitted separately as a QA program for Commission approval.
150.20(b)	Recognition of agreement state licenses	Part C (not yet included) and Part E (included)	C, Any fee provisions are Compatibility Category D.	Paragraph (b) introductory text is revised to include the new subparts that were added to the final 10 CFR Part 34. The Agreement State should adopt these requirements so that the State reciprocally recognizes licenses issued by other Agreement States and NRC within its jurisdiction, including provisions for notifying the regulatory agency when work is to be performed under reciprocity.

Fissile Material Shipments and Exemptions (62 FR 5907; February 10, 1997)
Effective February 10, 1997

~~USA~~

71.18	GL: Fissile material, limited quantity per package	Part T (not yet included)	D <i>ND</i>	A new paragraph (d) covers general licenses for packages containing no more than a Type A quantity of radioactive material where fissile material is mixed with substances having an average hydrogen density greater than water (defined in Sec. 71.20). New paragraph (e) restricts the quantity of beryllium, graphite, or hydrogenous material enriched in deuterium in a package to no greater than 0.1% of the fissile material mass. New paragraph (f) is a modification of the old paragraph (d) that includes a simplified formula for calculation of the minimum transport index.
71.22	GL: Fissile material, limited quantity, controlled shipment	Part T (not yet included)	D - <i>NO</i>	Old paragraph (d) is modified with the addition of a new table and accompanying formula which restrict the mass of U-235 and other fissile material in a controlled shipment. The table gives both new limits of 290 g and 180 g for U-235 and other fissile materials, when these materials are mixed with substances having hydrogen density greater than water; the table also gives the old Sec. 71.22 limits for shipments of U-235 and other fissile material when mixed with substances having a hydrogen density less than or equal to water. New paragraph (e) restricts the quantity of beryllium, graphite, or hydrogenous material enriched in deuterium in a package to no greater than 0.1% of the fissile material mass.
71.53	Fissile material exemptions	Part T (not yet included)	NRC <i>NA</i>	The introductory paragraph restates the old Sec. 71.53 language that packages are exempted from the fissile material standards of Sec. 71.55 and Sec. 71.59; however, the same paragraph restricts these exempted packages to only situations when beryllium, graphite, or deuterium is not present in quantities exceeding 0.1% of the fissile material mass. New paragraph (a) is added which contains a formula and an accompanying table to limit individual consignment, but also includes the requirements in old paragraph (a),(b)(1) and (2), and (d).

**Criteria for the Release of Individuals Administered Radioactive Material (62 FR 4120; January 29, 1997)
Effective May 29, 1997**

20.1002 20.1003	Scope Definitions Occupational dose Public dose	Part D (not yet included) <i>Sect. A</i>	D <i>Page D-1</i> A - <i>Page A-8</i> A - <i>Page A-9</i>	For the sake of consistency and clarity, the same words are used in Scope, public dose, occupational dose, and 20.1301, below.
20.1301(a)	Dose limits for individual members of the public	Part D (not yet included)	A <i>Page D-14</i>	Section 20.1301(a)(1) is changed to state specifically that the dose to individual members of the public from a licensed operation does not include doses received by individuals exposed to patients who were released by the licensed operation under the provisions of 10 CFR 35.75, not 10 CFR 20.1301. The exclusion of dose from background radiation and from voluntary participation in medical research programs is added. The footnote which reads, "except as delineated in other parts of 10 CFR Chapter 1," is deleted. With the publication of this rule that footnote is no longer needed. Section 20.1301(a)(2) is changed to state specifically that the limit on dose in unrestricted areas does not include dose contributions from individuals administered radioactive material and released in accordance with 10 CFR 35.75.
20.1903	Exceptions to posting requirements	Part D (not yet included)	D <i>D-30</i>	Section 20.1903(b) is changed to use the term "licensee control" rather than "confinement" because the latter term no longer applies to 10 CFR 35.75.
35.8	Information collection requirements: OMB approval	Not applicable	D <i>N/A</i>	A revised paragraph (b) is added to include new subparts.

35.75	Release of individuals containing radio-pharmaceuticals or permanent implants	Part G (not yet included, but current revision will reflect NRC via parallel process)	C - Paragraph (a) <i>NO</i> D - Paragraphs (b), (c) and (d)	A new Section 35.75(a) is added to change the patient release criteria from 30 millicuries of activity in a patient or a dose rate of 5 millirems per hour at 1 meter from a patient to a dose limit of 5 millisieverts (0.5 rem) total effective dose equivalent to an individual from exposure to a released patient. A footnote informs licensees that the NRC has made available guidance on rule implementation. A new Section 35.75(b) is added to require that the licensee provide released patients with instructions, including written instructions, on how to maintain doses to other individuals as low as is reasonable achievable if the total effective dose equivalent to any individual other than the released patient is likely to exceed 1 millisievert (0.1 rem).
35.315	Safety precautions	Not applicable	Not applicable <i>NO</i>	Section 35.315(a)(6) is deleted because those paragraphs are redundant now that 10 CFR 35.75 has requirements for instructions.
35.415(a)(1)	Safety precautions	Not applicable	Not applicable <i>NO</i>	Reworded to clarify the original intent of the paragraph which was to limit the dose rate at 2 meter from the patient.

Recognition of Agreement State Licenses in Areas Under Exclusive Federal Jurisdiction Within an Agreement State
(62 FR 1662; January 13, 1997)
Effective February 27, 1997

150.20(a) & (b)	Reciprocal recognition of AS licenses	Part A (not yet included)	C, D for fee provisions. <i>Page C-56</i>	A specific reference to areas of exclusive Federal jurisdiction is given. There is clearly indication that licensees operating pursuant to the rule's provisions must comply with all NRC regulations applicable to materials licensees. The relevant fee requirement in 10 CFR Part 170 is added.
150.20(c)	Filing Form 241	Part A (not yet included)	NRC	The procedures are clarified for filing an NRC Form 241 for reciprocity described in Sec. 150.20(b) including identifying what needs to be submitted, specifying the procedure to use when an emergency filing is necessary, and making revisions to the initial filing. These clarifications do not impose any additional requirements on the Agreement State licensee.

Resolution of Dual Regulation of Airborne Effluents of Radioactive Materials; Clean Air Act (61 FR 65120; December 10, 1996)
Effective January 9, 1997

Section D

20.1003	Definitions, Constraint	Part D (not yet included)	Section A <i>Same Page A-2 Section A</i>	The definition of Constraint is added.
20.1101(d)	Radiation Protection Programs	Part D (not yet included)	C - Paragraph (d) <i>Page A-6</i>	The language was changed to indicate that Rn 222 and all daughters produced after the release of the radon are categorically excluded from this rule.
20.2203(a)(2)(vi)	Report of exceeding of constraint dose	Part D (not yet included)	C <i>Page D-42</i>	The Section heading 20.2203 is revised and a new paragraph (a)(2)(vi) is added to indicate that the constraint applies only to release of airborne radioactive effluents to the environment and, thus, dose to the nearest resident, offsite business or school, is to be constrained.
20.2203(b)(1)(iv)	Corrective steps	Part D (not yet included)	C <i>Page D-43</i>	Revised to include ALARA constraints.

20.2203(b)(2)	Report contents	Part D (not yet included)	C Page D-43	Revised to require the name, social security number, and date of birth only for occupationally overexposed individuals and not for members of the public who have received doses in excess of the public limits, including the constraint.
Termination or Transfer of Licensed Activities: Recordkeeping Requirements (61 FR 24669; May 16, 1996) Effective June 17, 1996				
20.2108(b)	Records of Waste Disposal	Part D (not yet included)	D - NO	Amended to state that there are additional requirements for disposition of records in 10 CFR Parts 30, 40 and 70.
30.36(g) 40.36(f) 70.25(g)	Financial assurance and recording for decommissioning	Part C (not yet included)	H&S - Page C-28 H&S D	Specifies records important to decommissioning. Paragraphs 30.35(g) and 40.36(f) revised to require the transfer of records pertaining to decommissioning to the new licensee.
30.36(k)(4) 40.42(k)(4) 70.38(k)(4)	Expiration and termination of licenses and decommissioning of sites and separate buildings or outdoor areas	Part C (not yet included)	D 30.51(k) - NO Page C-49 30.51(f) - NO	Added to state that license will not be terminated until the NRC receives the records required by revised Secs. 30.51, 40.61, and 70.51.
30.51(d),(e),(f) 40.61(d),(e),(f) 70.51(b)(6) 70.51.(b)(7)	Records Material balance, inventory, and records requirements	Part C (not yet included)	D, H&S, D D, H&S, D N/A D N/A H&S N/A	Added to clarify that records pertaining to decommissioning, offsite releases, and certain records pertaining to waste disposal be forwarded to the new licensee prior to license transfer or re-assignment, or to the NRC prior to license termination.
61.30(a)(3) 61.30(c)(3)	Transfer of license Termination of license	Part C (not yet included)	D N/A H&S N/A	Added to clarify that records required by Secs. 61.80(e) and (f) are to be transferred to the disposal site owner, or to the party responsible for institutional control of the disposal site, respectively.

CHRONOLOGY OF NRC AMENDMENTS (FINAL REGULATIONS ADOPTED July 1, 1999 through December 31, 1999)¹

(Compatibility and Health and Safety category designations pursuant to the Policy Statement on Adequacy and Compatibility approved June 30, 1997)

REGULATION SECTION	SECTION TITLE	SUGGESTED STATE REGULATIONS ²	COMPATIBILITY/H&S CATEGORY	SUMMARY OF CHANGE
--------------------	---------------	--	----------------------------	-------------------

**Respiratory Protection and Controls to Restrict Internal Exposures
(64 FR 54543, October 7, 1999, 64 FR 55524, October 13, 1999)
Effective February 2, 2000**

20.1003	Definitions	Part D (not yet included)	B <i>All definitions included in Section D Pages D-1 thru D-5.</i>	The following definitions are added to clarify the new regulations at §§ 20.1701 through 20.1705: Air purifying respirator, Atmosphere-supplying respirator, Assigned Protection Factor (APF), Demand respirator, Disposable respirator, Fit factor, Fit test, Filtering facepiece (dust mask), Helmet, Hood, Loose-fitting facepiece, Negative pressure respirator, Positive pressure respirator, Powered air-purifying respirator, Pressure demand respirator, Qualitative fit test, Quantitative fit test, Self-contained breathing apparatus, Supplied-air respirator, Tight-fitting facepiece, and User seal check (fit check). Because of their precise operational meanings, they should be adopted essentially identical to help insure effective communication and to promote a common understanding for licensees who operate in multiple jurisdictions.
---------	-------------	------------------------------	---	--

¹See All Agreement States Letter (SP-99-056), August 12, 1999 for Chronology of NRC Amendments before July 1, 1999.

²Prepared by the Conference of Radiation Control Program Directors, Inc.

20.1701	Use of process or other engineering controls	Part D (not yet included)	H&S Page D-23	The word "decontamination" is added to the list of examples of process or engineering controls that licensees should consider for controlling the concentration of radioactive material in air.
20.1702	Use of other controls	Part D (not yet included)	H&S Page D-24	This section is revised to clarify that if a licensee performs an ALARA analysis to determine whether or not respirators should be used, the licensee may consider safety factors other than radiological.
20.1703 (except 20.1703(c)(4))	Use of individual respiratory protection equipment	Part D (not yet included)	H&S Pages D-24 thru D-27	This section defines the minimum respiratory protection program expected of any licensee who assigns or permits the use of respirators to limit intake. The written procedures addressed in 20.1703(c)(4) are not required for compatibility.
20.1704	Further restrictions on the use of respiratory protection equipment	Part D (not yet included)	D Page D-27	Section 20.1704(a) is revised to clarify that the Commission will use ALARA considerations in any additional restrictions imposed by the Commission on the use of respiratory protection equipment for the purpose of limiting exposure of individuals to airborne radioactive materials.
20.1705	Application for use of higher assigned protection factors	Part D (not yet included)	B Page D-27 Sec. 801. D.705	Permits the licensee to apply for the use of higher APFs on a case by case basis.
Appendix A to Part 20	Assigned Protection Factors for Respirators	Part D (not yet included)	B Appendix A Revised Pages D-53 thru D-55	The appendix is modified extensively to recognize new devices, revise APFs to be consistent with current ANSI guidance and technical knowledge, and the footnotes are moved, deleted, revised, or adjusted so that only those necessary to explain the table remain.

**Requirements for Those Who Possess Certain Industrial Devices Containing Byproduct Material
to Provide Requested Information (64 FR 42269, August 4, 1999)
Effective October 4, 1999**

31.5	Certain Measuring, gauging, or controlling devices	Part C (not yet included)	D <i>Not included.</i>	Section 31.5 is amended by adding paragraph (c)(11) which is an explicit requirement that general licensees, who possess certain measuring, gauging, or controlling devices that contain byproduct material, provide the NRC with information concerning these devices.
------	--	---------------------------	------------------------	---